CIVIL LIBERTIES AND CIVIL RIGHTS, PART 1

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Office Hours (EB-317): Mon and Wed, 2–4:30 p.m.

AGENDA

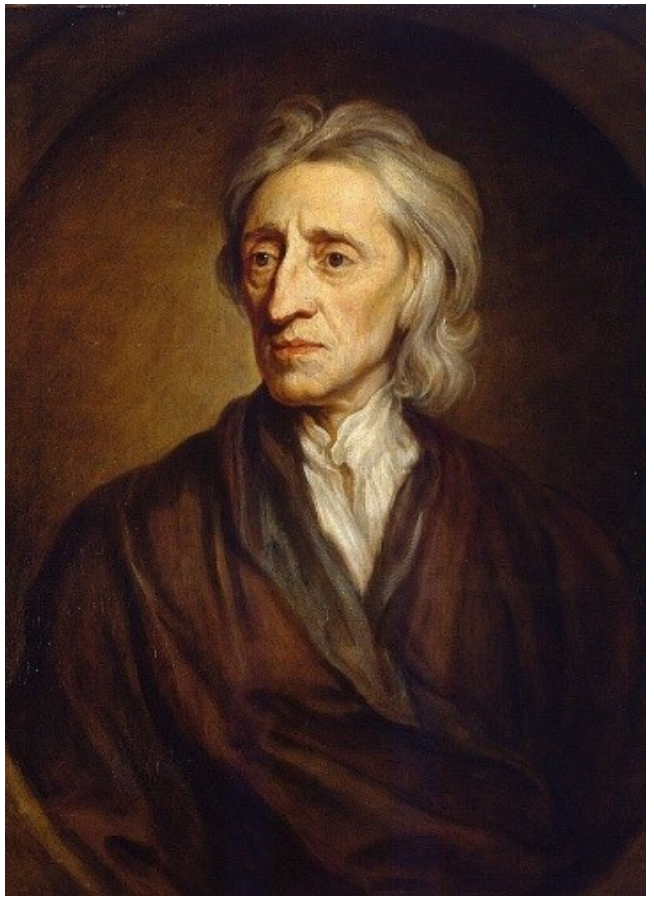
- Devotional and prayer
- Announcements: discussion board 1 and study guide for exam 2
- Civil liberties vs. civil rights
- Causes and consequences of U.S. focus on civil liberties

DEVOTIONAL AND PRAYER

- Individual rights for others
- Personal service
- “What then is my reward? That in my preaching I may present the gospel free of charge, so as not to make full use of my right in the gospel. For though I am free from all, I have made myself a servant to all, that I might win

CIVIL LIBERTIES

- Definition
- John Locke
- Negative rights
- What are some of the civil liberties in the Constitution?



John Locke
(1632–1704)

CIVIL LIBERTIES CONTESTED

https://www.youtube.com/watch?v=ujnemrrqtpM

Devotional and prayer | **Civil liberties vs. civil rights** | Causes and consequences of U.S. focus on civil

CIVIL RIGHTS

- Definition
- What would be an example of civil rights?
- Section 1 of the Fourteenth Amendment: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”
- Beyond the 14th Amendment

LITTLE ROCK NINE: AN EXAMPLE OF CIVIL LIBERTIES

https://www.youtube.com/watch?v=Qk1tTCk2Kks

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CIVIL RIGHTS IN OTHER CONSTITUTIONS

Italy (1946): The Republic protects work in all its forms and practices. It provides for the training and professional advancement of workers

For the full texts of these constitutions as well as others, please go to https://www.constituteproject.org/?lang=en

CIVIL RIGHTS IN OTHER CONSTITUTIONS

South Africa (1996): Everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, the state must consider all reasonable educational alternatives, including single medium institutions

For the full texts of these constitutions as well as others, please go to https://www.constituteproject.org/?lang=en

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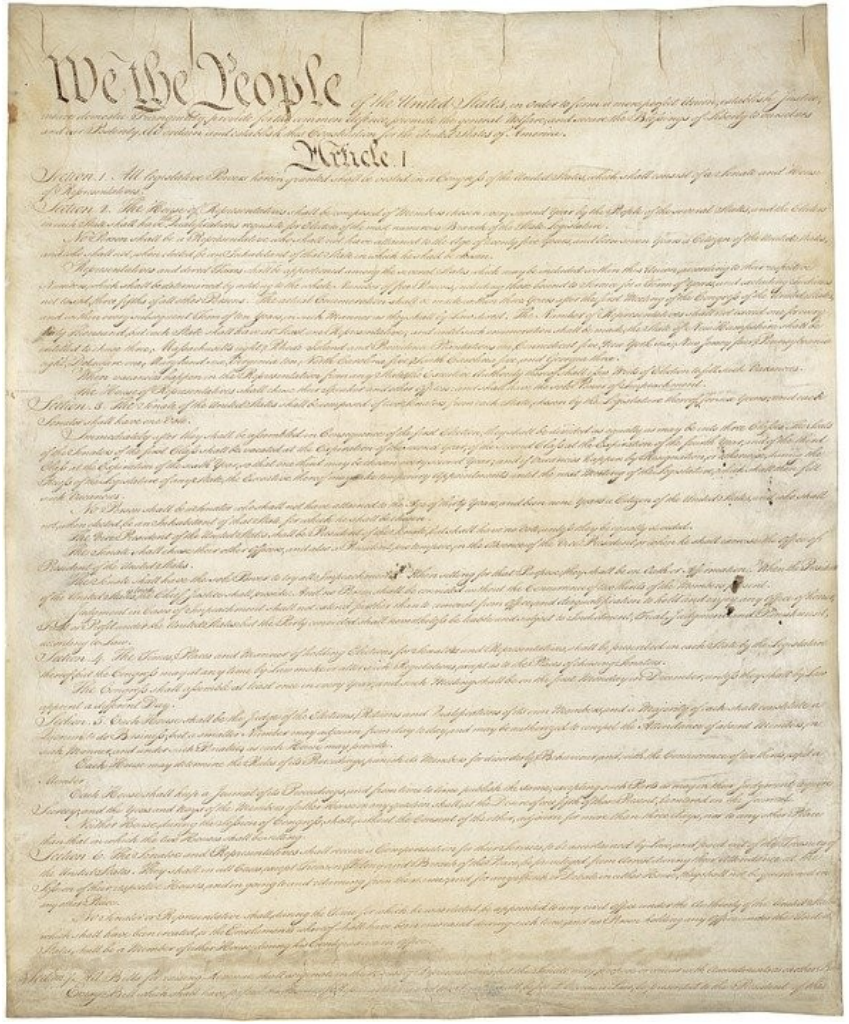
CIVIL RIGHTS IN OTHER CONSTITUTIONS

Netherlands (1983): It shall be the concern of the authorities to keep the country habitable and to protect and improve the environment

For the full texts of these constitutions as well as others, please go to https://www.constituteproject.org/?lang=en

CIVIL RIGHTS OUTSIDE OF U.S.: WHY?

- Timing of American Constitution: first-generation rights
  - Locke's purpose of government
  - Civil rights: more active government
- Second-generation rights
- Third-generation rights



OUTLINE OF CONSTITUTION

- Articles 1–3: operation of the legislative branch (Article 1), executive branch (Article 2), and judicial branch (Article 3)
- Articles 4–7: federalism, amendment process, supremacy of Constitution, and ratification
- Amendments 1–10: civil liberties
- Amendments 13–15, 19, 23–24, 26: civil rights

SAMPLE EXAM QUESTIONS

Please match the examples and terms. Examples come from the U.S. and South African Constitutions. Terms can be used more than once.

Example	Term
____ Everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, the state must consider all reasonable educational alternatives, including single medium institutions	A. Civil liberty or negative right
____ Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.	B. Civil right or positive right
____ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof	
____ A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed	

SUMMING UP AND NEXT UP

- As we've seen, the United States emphasizes civil liberties (negative rights, or first-generation rights) over civil rights (positive rights, often focused on voting).
- Next: what do we do when the exercise of civil liberties endangers public safety/public well-being?